6/24/71

Mr. Richard Harwood
The Washington Post
1515 L St., NW
Washington, D.C.

Dear Dick,

Fine as is today's public confession that the press has lessons to learn from the past, is it not also time to learn the lessons of the present, to profit from this past, not to repeat the same errors?

Self-flagellation may be good for the soul, but it falls short of meeting the traditional obligation of the press, which is to the current, today more than yesterday. And what this really means is that it must overcome policy determinations of what is news, what is to be reported, what ignored.

Without intending personal or any other kind of offense, there is today's claim by Herb Klein that the press should have used the Freedom of Information Act to obtain the suppressed studies, played stright on CBS a.m. TV news.

But what the press, pre-eminently CBS and the Post, have failed to report, is what happens - what does this administration do - when the act is invoked?

I have filed three such suits. I think I hold the track record. The record in the first is of incredible, if not unequalled, government dishonesty, documented beyond refutation in the complaint, of which you both were supplied copies. It ended in something a bit less common than breathing, a summary judgement against the Department of Justice. I sought and sued for the public record, the public trial of an American, actually confiscated by our government with the complicity of another. Will you or anyone else on the Post seriously tell me than no aspect of this was legitimate news? You sent a reporter to my press conference. He filed a column of copy. Not one word appeared. Were you that overup?

More recently I sued for copies of public, published evidence in an official proceeding. This administration, with Klein's exposition of its dedication to the Freedom of Information Act, actually claimed that evidence is not evidence, in court. I supplied the Post with a copy of his argument. This Orwellian concept is not news? Or the need to sue for copies of published evidence?

Had the Post played this straight and not permitted its dislike of me to dominate normal news concepts, it would today show a better face in its public and legal postures, and the people would be better able to understand the need for what the government seeks to describe as violations of the law to belatedly bring news and fact to the people. And Klein's propaganda would be understood for what it is.

It is always time for the casting of motes. But why wait so many years?

Sincerely,

Harold Weisberg